## VENDOR OPERATING PROCEDURES MANUAL

#### **SECTION I**

#### INTRODUCTION

# 1.1. Purpose of Manual

The purpose of the Vendor Operating Procedures Manual is to provide guidance to the vendor in order for him/her to carry out the duties and responsibilities of operating a vending facility in accordance with good business practices and rules prescribed in the Division of Services for the Blind, in consultation with the State Committee of Blind Vendors. The manual is designed to be used as an aid to assure that customers are provided quality vending services; thus, permitting the vendor to earn a substantial income.

## 1.2. Legal Authority

The Vending Facility Program is authorized by the Randolph-Sheppard Act (P.L. 74-732), as amended by (P.L. 83-565) and (P.L. 93-516) and Arkansas Act 201 of 1969. The Division of Services for the Blind authorized by Arkansas Act 481 of 1983 has been designated by the Commissioner of the Rehabilitation Services Administration in accordance with the Regulations issued pursuant to the Randolph-Sheppard Amendments of 1974 (P.L. 93-516) as the State Licensing Agency to issue licenses to blind persons for the operation of vending facilities on Federal and other property. The authority of the Division of Services for the Blind in consultation with the Committee of Blind Vendors, to establish policies and standards is contained in Section 9.1 of the Rules for the Administration of the Vending Facility Program for Blind Persons.

## 1.3. Eligibility

In order to be licensed as a blind vendor, a person must be, (a) legally blind--not more than 20/200 central vision in the better eye with correcting lenses, or equally disabling loss of visual field as evidenced by a limitation to the field of vision in the better eye to such a degree that its widest diameter subtends an angle of no greater than 20 degrees; (b) a citizen of the United States; (c) certified as qualified to operate a vending facility after having completed the Vending Facility Training Program of the Division of Services for the Blind.

The Vending Facility Program Training Specialist will obtain from the vocational rehabilitation counselor documentation and verification of the eligibility requirements to be maintained in the trainee's/vendor's file.

- 1. Legally blind (current eye examination).
- 2. Citizenship (Employment Eligibility Verification, Form I-9).
- 3. Certification by the State Licensing Agency as qualified to operate a vending facility.

## 1.4. Criteria for Evaluation and Training

The following criteria must be met prior to the time that the person is admitted to the Vending Facility Program for evaluation and/or training. These criteria are based on

Federal Regulations of the Randolph-Sheppard Act and Division of Services for the Blind rules.

- 1) The applicant must be legally blind.
- 2) The applicant must be a citizen of the United States.
- 3) The applicant must possess either a high school diploma or a GED certificate. In the absence of either of these, a score of <u>10</u> on the Wide Range Achievement Test (WRAT) or a score on an equivalent test which indicates general level of educational achievement will be acceptable.
- 4) The applicant must possess necessary skills to travel independently and become oriented to new environments utilizing reasonable assistance.
- 5) The applicant must have necessary personal hygiene and grooming skills which are acceptable to the general public.
- 6) The applicant must have the ability to:
- (a) write Braille at a level proficient enough to record basic information and to read Braille at a level which will enable the person to assimilate classroom training materials, or
- (b) read and write in large print, or
- (c) use recorded and taped materials to assimilate lesson materials and to maintain business records.
- 1.5. Application, Evaluation and Training Process
  - 1.5.1. Applicant. An individual who has been referred in writing with accompanying documentation to the Vending Facility Program Training Specialist via a Division of Services for the Blind Vocational Rehabilitation Counselor. An applicant must meet the criteria outlined in Section 1.4. in order to be eligible for entry into evaluation.
  - 1.5.2. Evaluee. A person accepted by the Vending Facility Program to have met the initial application requirements and who is participating in a formalized four week period of evaluation. Subsequent to entry into the training phase of the Vending Facility Evaluation and Training Program, an evaluee is subject to both the passage of the formal written examination and in-location evaluations.
  - 1.5.3. Trainee. Any individual who has been deemed to have successfully completed the four week evaluation phase and is in a custom designed training program to become a licensed blind vendor.
  - 1.5.4. Certified Licensee. Those individuals who have successfully completed the designated, customized Vending Facility Training Program and have been certified by the Vending Facility Program Training

Specialist to be eligible for licensing as a licensed blind vendor. Certified licensees do not hold a license until after their probation at the initial assignment to a vending facility as established by transfer and/or promotion policies.

- 1.6. Evaluation and Training Rights and Responsibilities
  - 1.6.1. Purpose. The purpose of evaluation and training is to directly ascertain the potential to manage a vending facility and provide in a customized fashion vocational training needs for eligible persons to become licensed blind vendors. The training is not designed to provide remedial or personal adjustment training for prospective licensees. Alternative skills for dealing with blindness should have been accomplished prior to the individual's referral to the Vending Facility Program for vocational training. Should it be determined that additional alternative skills to deal with blindness are insufficient to meet the vocational training needs, the prospective trainee will be referred to the sponsoring vocational rehabilitation counselor for additional training prior to the continuation or conclusion of the Vending Facility Program evaluation.
  - 1.6.2. Program Rights and Responsibilities. The Vending Facility Program has the sole right to assign prospective trainees or evaluees to specific vending facilities for evaluation or training purposes. Every effort will be made to accommodate the evaluee's or trainee's particular needs or personal situations but the final placement in a location is the sole right of the Vending Facility Program.
  - 1.6.3. Training Manager's Rights and Responsibilities. A licensed vending facility vendor providing training services may, with or without cause or reason, have an evaluee or trainee removed from a location by making a request to the Vending Facility Program Training Specialist. Evaluees or trainees have no right of assignment to any specific vending facility for evaluation or training.
  - 1.6.4. Payment. Under no circumstances will an evaluee or trainee be paid for any work performed during the assignment to a vending facility as an evaluee or trainee. Additionally, no evaluee/trainee will be used as paid relief help or in substitution or in lieu of paid relief help with the exception of a solo experience as part of the final segment of the Vending Facility Program training curriculum. Licensed blind vendors who are serving as training vendors will take sick, non-essential, or vacation leave in accordance with agency policies and not utilize evaluees or trainees to serve as unpaid relief help. Certified licensees will be eligible to work as temporary relief help between the time of license certification and initial assignment.

- 1.6.5. Training Money. Requests for additional transportation, maintenance, or other types of training money will be made by the evaluee/trainee to the sponsoring vocational rehabilitation counselor. The Vending Facility Program serves only as a mechanism in order to assure more expedient payment of funds when appropriate vocational rehabilitation authorizations for services have been submitted by the sponsoring vocational rehabilitation counselor.
- 1.6.6. Complaints and Grievances. Applicants, evaluees, trainees and persons certified for licensing have no rights under the Federal Randolph-Sheppard Act, Division of Services for the Blind Vending Facility Program grievance procedures (Section XI), or access to the State Committee of Blind Vendors for redress of grievances or complaints. Applicants, evaluees, trainees and persons certified for licensing are considered vocational rehabilitation clients and have rights under the Federal Vocational Rehabilitation Act and Division of Services for the Blind client grievance procedures. Applicants, evaluees, trainees and persons certified for licensing but not yet assigned to a location will be referred to the sponsoring vocational rehabilitation counselor regarding formal complaints or grievances concerning the Vending Facility Program.
- 1.6.7. Completion of Evaluation. After the conclusion of a successful evaluation period, the Vending Facility Program Training Specialist will determine, in consultation with the trainee and, if necessary, the Vending Facility Program Administrator, the type and approximate duration of training based upon information obtained from the initial four week evaluation. Persons beginning training simultaneously may or may not complete training at the same time. Determination for certification will be made by the Vending Facility Program Training Specialist and final decisions of licensing are the responsibility of the Vending Facility Program Administrator.
- 1.6.8. Assignments. Specific vending facility assignments are the sole responsibility of the Vending Facility Program Training Specialist. Efforts will be made to provide a variety of training experiences dependent upon the evaluation results of the individual involved.
- 1.6.9. Absenteeism. All persons in evaluation or training are expected to be at their assigned location, either classroom or vending facility, on time and on each day of scheduled evaluation or training. Each person will complete a minimum of 20 days of evaluation, with the exception of unexcused absences. Those persons committing three or more unexcused absences during evaluation or training will be automatically dropped. Excused absences will be made up during the evaluation to maintain the 20 day evaluation rule. Excused absences are absences for reason of legitimate illness or other medical reasons or other

circumstances as approved by the Vending Facility Program Training Specialist. The Vending Facility Program reserves the right to obtain a doctor's statement for absences due to medical reasons. If a trainee or evaluee is absent, the VFP Training Specialist should be notified by the evaluee or trainee on the same date of the absence or the absence will be counted as an unexcused absence.

1.6.10. Conduct. All evaluees and trainees will be expected to perform in a businesslike manner when in vending facilities or at the Vending Facility Program office or other vending facility evaluation or training locations. Any unbusinesslike conduct will be grounds for expulsion from the training program. The use of alcoholic beverages or other chemical substances not specifically prescribed by a medical doctor while in evaluation or in a training setting or coming onto an evaluation or training setting under the influence of such substances is grounds for expulsion from the training program and will not be tolerated. Abusive language, cursing, racial or sexual slurs, or failure to respond to a reasonable request made by the training specialist or training vendor shall be grounds for expulsion from the evaluation or training program. Theft of property or funds from the Vending Facility Program or a Vending Facility Program vendor shall be grounds for automatic expulsion from evaluation or training.

1.6.11. ServSafe or Ark. Dept of Health Training. ServSafe or Ark. Dept. of Health training is mandatory for all trainees as of 11-7-05. Trainee will not be certified for licensing until they pass the course. Trainee will have 2 opportunities to pass before they are denied certification.

## 1.7. Licensing

Upon successful completion of the Vending Facility Training Program, the individual will be certified for licensure. All certified licensees will be placed on a four calendar month probationary period upon initial assignment to a location. If performance is not satisfactory, the probationary period can be extended for another calendar month. At the end of the probationary period, a determination will be made whether or not to license the trainee.

# 1.8. Deficiency and Upward Mobility Training

The respective Vending Facility Program specialist shall provide short-term training. If the Vending Facility Program specialist deems it advisable, the specialist shall submit in writing a request to the Vending Facility Program Administrator for such a service documenting the specific needs and tentative goals and objectives for such training.

In the event a licensed blind vendor is not recommended by the specialist for transfer or promotion, the licensed blind vendor must be provided training to correct any deficiencies noted in order to satisfy the requirements for operations. This training may include, but not be limited to, on-the-job training and classroom training.

Any manager that sells foods prepared on-site and any manager recommended by his specialist to take the ServSafe or Ark. Dept. of Health course must participate and

complete the course. They will have two opportunities to pass the course paid by the VFP. Any third or more attempts will be paid for by the manager. Also, managers that refuse or are unable to pass the course will be reduced to selling prepackaged foods only.

## 1.9. Extension of License Certification

The certified licensee will remain certified for licensing for a period of two years. Should the licensee not be assigned a location at the end of the two years, the Vending Facility Program Training Specialist will determine, through testing, what the licensee will need to obtain for an extension to the certification. This could consist of on-the-job training, additional classroom instruction and/or examinations. Upon successful completion, the licensee will receive an extension of certification for an additional two years or until the licensee has refused the third location offer. Licensee can refuse only two location offers (see Section 5.1.) without losing certification no matter how many certification extensions licensee might obtain. Should licensee refuse or not successfully complete the above requirements, the individual would have the certification terminated and would have to apply for Vending Facility Program training as a new trainee to enter the Program.